

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
vs.) **Case No. 16-03052-CR-SW-MDH**
)
DEANDRE WALLS,)
)
)
Defendant.)

ORDER

Before the Court is the Defendant's Motion to Suppress Evidence on the Basis of an Unlawful Search and Seizure under the Fourth Amendment and Statements under the Fifth, Sixth and Fourteenth Amendments (Doc. 33), the Government's Response in Opposition to the Motion to Suppress (Doc. 40), Supplemental Brief in Support of Defendant's Motion to Suppress (Doc. 58), Government's Supplemental Response in Opposition to Motion to Suppress (Doc. 59), the Report and Recommendation of United States Magistrate Judge (Doc. 66), and Defendant's Objections to the Report and Recommendation of United States Magistrate Judge (Doc. 72). The Court also has reviewed the electronic transcript from the March 7, 2017, hearing before the United States Magistrate Judge on the motion to suppress (Doc. 53) and the Government's Exhibit 1, the recording of Defendant's interview by Detective Smith.

After a careful and independent review of the parties' submissions, the Report and Recommendation, and Defendant's objections to the same, this Court agrees with and **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Doc. 66) in full. Accordingly, the Court **DENIES** Defendant's Motion to Suppress with regard to the Fifth and

Sixth Amendment issues and **DENIES** Defendant's motion as **moot and without prejudice** as to the Fourth Amendment issue.¹

IT IS SO ORDERED.

DATED: September 5, 2017

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE

¹ At the suppression hearing the parties agreed that the Fourth Amendment issues were moot. However, if the Government attempts to later introduce such evidence Defendant may renew his motion to suppress or file a motion in limine.